IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7137 OF 2005

Mohd.Salim Adam Kasu ...Applicant
vs.
The Narcotic Control Bureau & Ors. ...Respondents

Mr.V.R.Raje for the applicant
Mr.D.N.Salvi for Respondent No.1
Ms S.D.Shinde,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 27,2005

P.C.:

1. The prayer made in this Application is for temporary bail. The Applicant is the accused in a case under the Narcotic Drugs and Psychotropic Substances Act,1985 (hereinafter referred to as the said Act of 1985). It is not in dispute that prayer for bail will be governed by section 37 of the said Act of 1985. The learned Advocate for the Applicant pointed out that the wife of the Applicant is required to undergo surgery on 30th October 2005 at Dr.Bhute's Nursing Home, Chembur,Mumbai and there is no one to look after the wife. She submitted that the Applicant may be taken in police escort on three to four days in the said hospital and the Applicant is ready to pay the necessary charges for the police escort. Shri Salvi appearing for the Respondent No.1 has no objection for this arrangement. The learned A.P.P. states that the police escort can be given only if the Applicant deposits requisite charges with the concerned Authority.

2. Hence I pass the following order :

i) If the requisite charges are deposited on behalf of the Applicant for police escort, from 30th October 2005 to 3rd November 2005, the Applicant will be taken in police escort to Dr.Bhute’s Nursing Home, Chembur, Mumbai between 9.00 a.m. to 4.00 p.m.

ii) Prayer for temporary bail is rejected.

iii) Parties to act upon an authenticated copy of this order.

JUDGE